

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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H. THOMAS MORAN II, AS RECEIVER OF :
THE ASSETS OF EDWARD T. STEIN; DISP, :
LLC, EDWARD T. STEIN ASSOCIATES, LTD,:
G&C PARTNERSHIP JOINT VENTURES; :
GEMINI FUND, I, L.P.; PRIMA CAPITAL :
MANAGEMENT, LLC; VIBRANT CAPITAL :
CORP; and VIBRANT CAPITAL FUNDING, :
I LLC :

Plaintiff, :

-against- :

MORTON GOLDFARB, CHARLES SAN :
FILLIPO, FRED KLINE, MARIAN KLEIN, :
PATRICK ROTH, GWENDOLIN, INC F/K/A :
CHANGEBRIDGE CORPORATION, VICTOR :
NELSON, ROBERT TUCCILLO, SEYMORE :
"SY" SCHNEIDER, PETER VARIO, NEIL :
RICK, JOHN LAVIANO, ROBERT HOLBERT,:
JANET MULHALL, BARRY T. ZEMAN, :
ANGELA ZEMAN, JOSHUA ZEMAN, JOEL :
MARKS, RUTH MARKS, MARVEL IMPORT :
INDUSTRIES, INC, RETIREMENT PLAN, :
JOSEPH BURKE, INDIVIDUALLY AND AS :
THE EXECUTOR OF THE ESTATE OF :
JOSEPH M. BURKE SR, HARJINDER S. :
SIDHU, HOTEL DES PAYS, JULES SIEBURG :
YOUNG BIN CHOO, CHOO REVOCABLE :
TRUST, CHANG WOON HUH CHOO, :
DOMINIC MARISCOVETRE, HAROLD :
STERNFELD, STUART NATTBOY, GLORIA :
NATTBOY, AS THE TRUSTEE OF THE :
NATTBOYMARITAL TRUST, MONA L. :
SHAPIRO-ROGERS, CHRIS LOVITO, RK :
HILLYER, LLC, ACCOMODTIONS IN NEW :
YORK, INC, 18TH CORP/KAZUKO HILLYER, :
RUTH MARKS FAMILY TRUST, JOAN :
ELLEN STEIN, PHILLIP UCHITEL, :
SUZANNE YOUNG, AS EXECUTOR OF THE :
ESTATE OF ANDREW J. YOUNG, IRWIN :
COHEN, VALLERIE HARRIS, PHILLIP :
EDWARDS, ELLEN EDWARDS, BRUCE :
ROSENZWEIG, MICHAEL SANDLOFFER, :

Civil Action No.: 09-7667

INITIAL DISCLOSURES
OF DEFENDANTS
PAULA JENNINGS
AND KEITH COHEN

CHRIS READ A/K/A CHRIS STERNFELD,
BROOKLE SIEGEL, IRENE BRANDES,
SCOTT EINIGER, MICHAEL POMERANTZ
ARLENE BERTINI, MATTHEW CANNO
TRUST, PAULA JENNINGS, KEITH COHEN
PETER COSOLA, FUNDSLOSO, INC, PETER
COSOLA, INC, JODY FAITELSON,
STEPHEN KATZ, GERDA MARX, CRAIG
ROSENBERG, LAURA ROSENBERG,
CATHERINE BRIENZA, PATRICIA
SINISTORE, DOMINICK VARIO, DALE
GLASS, FELIX DIMARTINO, JOANN
DIMARTINO, ROOFTOP, INC., MATTHEW
CANNO, JANICE ABERT, JANICE ABERT
DEFINED BENEFIT PENSION PLAN,
WILLIAM AUCTION, EDWARD HAMILTON,
AXEL VENTURES DEFINED BENEFIT :
PENSION PLAN, DAVID CRANDALL,
ALEXANDER JEONG, LAUREN SIEGEL,
DOROTHY ALMADGE, EMANUEL TREES,
WILLIAM SINISTORE, BOJACK CORP.,
PATRICIA ROMANO AND BARBARA
K. WEINER

Defendants.

Defendants Paula Jennings and Keith Cohen (hereinafter Defendants), by and through their attorneys Nesenoff & Miltenberg, LLP, hereby submits these Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Defendants reserve the right to supplement and amend these disclosures as discovery proceeds. The inclusion of documents in this disclosure statement shall not be deemed to waive: (i) the attorney-client privilege and/or the work-product doctrine, either generally or as they may pertain to particular document; and/or (ii) objections to the admissibility of these documents at trial.

1. Rule 26(a)(1)(A) Disclosures:

Keith Cohen
c/o Nesenoff & Miltenberg, LLP

Has information on subject
of investment in Disp, LLC

363 Seventh Avenue, 5th Floor
New York, New York 10001

and Gemini Fund, I, L.P.

Paula Jennings
c/o Nesenoff & Miltenberg, LLP
363 Seventh Avenue, 5th Floor
New York, New York 10001

Has information on subject
of investment in Disp, LLC
and Gemini Fund, I, L.P.

2. Rule 26(a)(1)(B) Disclosures:

Defendants object to the production of those documents that are beyond the scope of discovery permitted by the Federal Rules of Civil Procedure. Further, Defendants object to the production of documents that are proprietary or confidential in nature as well as documents protected by the attorney-client privilege and/or the work product doctrine.

Notwithstanding the foregoing, Defendants set forth a description of documents that they may use to support their claims or defenses.

- A. Gemini Fund, I, L.P. Account Statements for account in the name of "Shelley Cohen".
- B. Gemini Fund, I, L.P. Account Statements for account in the name of "Keith Cohen".
- C. Gemini Fund, I, L.P. Account Statements for account in the name of "Keith Cohen & Paula Jennings".
- D. Gemini Fund, I, L.P. Account Statements for account in the name of "Shelley Cohen ITF Beth Cohen".
- E. Gemini Fund, I, L.P. Account Statements for account in the name of "Shelley Cohen ITF Keith Cohen".
- F. Medical Records of Beth Cohen, beneficiary of accounts of Shelley Cohen.

Such documents are located at the offices of Nesenoff & Miltenberg, LLP, 363 Seventh Avenue, New York, New York 10001 or in the possession of Defendants. Defendants reserve the right to amend and/or supplement this mandatory disclosure as discovery progresses.

3. Rule 26(a)(1)(C) Disclosures:

At the present time, Defendants have not interposed cross claims or counterclaims, and thus have not prepared a computation of damages. Defendants expressly reserve their right to supplement this response if discovery reveals damages or loss to Defendants.

4. Rule 26(a)(1)(D) Disclosures:

Defendants are not aware of any insurance policy that would be applicable to satisfy part or all of a judgment which may be entered in the action against Defendants or to indemnify or reimburse for payments made to satisfy a judgment.

**Dated: New York, New York
August 4, 2010**

**NESENOFF & MILTENBERG, LLP
Attorneys for Plaintiff**

By:

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